

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 7/7/2025

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ULICES RAMALES,

Plaintiff,

-against-

IRINA VALERYEVNA SHAYKHLISLAMOVA,

Defendant.

1:24-cv-3729-MKV

ORDER TO SHOW CAUSE

MARY KAY VYSKOCIL, United States District Judge:

Plaintiff initiated this action by filing a complaint on May 15, 2024. [ECF No. 1]. IT IS HEREBY ORDERED that the parties shall appear for a hearing on Plaintiff's motion for a default judgment [ECF No. 17]. Plaintiff filed an affidavit of service of summons and complaint on Defendant on June 11, 2024, stating that the Defendant was served on the same day. [ECF No. 8]. According to that summons, Defendant's response to the complaint was due on June 28, 2024. No response was filed, and Plaintiff filed a motion for default judgment. [ECF No. 17]. Thereafter, the Court scheduled a default hearing for May 13, 2025. [ECF No. 23]. Prior to the scheduled hearing, Defendant appeared *pro se* and filed a letter on the docket seeking an adjournment of the default hearing because she was out of the country and to permit her time to obtain counsel. [ECF No. 27]. Since Defendant had appeared and stated her intent to defend herself in the case, the Court denied the motion for default judgment and adjourned the default hearing *sine die*. [ECF No. 30]. The Court further directed Plaintiff to serve the order on Defendant and file proof of service on the docket. [ECF No. 30]. Plaintiff did so. [ECF No. 31]. Now, nearly two months later Defendant's counsel has not filed a notice of appearance and Defendant has not answered the Complaint.

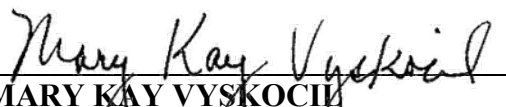
Accordingly, IT IS HEREBY ORDERED that, by July 16, 2025, Plaintiff shall file a letter showing cause why the case should not be dismissed pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. Plaintiff is on notice that he is ultimately responsible for prosecuting his case, and this case

may be dismissed because of his chosen counsel's failure to prosecute his case. *See Link v. Wabash R. Co.*, 370 U.S. 626, 633–34 (1962); *LeSane v. Hall's Sec. Analyst, Inc.*, 239 F.3d 206, 209 (2d Cir. 2001).

Plaintiff is reminded that failure to comply with this Order or with any order of the Court or failure to comply with the FRCP, the Local Rules for the SDNY or this Court's Individual Practice Rules, or the parties' discovery or other obligations thereunder may result in sanctions, including monetary penalties on counsel and/or the parties, dismissal or preclusion of claims, defenses, arguments, or evidence.

SO ORDERED.

**Date: July 7, 2025
New York, NY**


MARY KAY VYSKOCIL
United States District Judge